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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,911	07/15/2003	Donald McCoy	D-1171 R	8962
28995	7590	01/17/2008		
RALPH E. JOCKE walker & jocke LPA 231 SOUTH BROADWAY MEDINA, OH 44256			EXAMINER TRAN, HAI	
			ART UNIT 3694	PAPER NUMBER
			MAIL DATE 01/17/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/620,911

Applicant(s)

MCCOY ET AL.

Examiner

Hai Tran

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is the first Office Action in response to the application filed on July 15, 2003, titled: "Automated Banking Machine Bootable Media Authentication".
2. Claims 1-34 are pending in this application and have been examined.

Priority

3. This application claims the benefit of U.S. Provisional Patent Application No. 60/396,607, filed 07/16/2002.

Information Disclosure Statement

4. No information disclosure statement (IDS) was filed with this application, and hence, the applications fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. Since there was no IDS filed with this application, the examiner, therefore, cannot consider any information with respect to any references cited.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-34 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Yoon (U.S. Patent No. 6,088,794) ("Yoon") in view of James (U.S. 6,240,519) ("James").

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

5. **Regarding claim 1**, Yoon discloses a method comprising:

a) detecting with a computer of an automated banking machine for the presence of a bootable media in at least one alternative storage device drive of the automated banking machine, wherein a BIOS of the computer specifies which of a plurality of storage device drives corresponds to a default storage device drive which does not require an input of a first BIOS password, and which of the plurality of storage device drives corresponds to the at least one alternative storage device drive which does require the input of the BIOS boot password (see col. 2, lines 64-65, col. 3, lines 23-5 of col. 5, figures 5-9);

b) booting the computer responsive to a boot record on either the bootable media of the at least one alternative storage device drive or a bootable media of the default storage device drive (see col. 3, lines 23-5 of col. 5, figures 5-9);

wherein when the bootable media of the at least one alternative storage device drive is detected in step (a), the booting of the computer includes requiring at least once for a user to input a password, wherein when the inputted password corresponds to the BIOS boot password stored in the BIOS of the computer, the computer is booted responsive to the boot record on the bootable media of the at least one alternative storage device drive (see col. 3, lines 23-5 of col. 5, figures 5-9); and

wherein when the bootable media of the at least one alternative storage device drive is not detected in step (a), the computer is booted responsive to a boot record on the bootable media of the default storage device drive without requiring a user to input the BIOS boot password (see col. 3, lines 23-5 of col. 5, figures 5-9).

6. Yoon discloses a computer system having two disk drives in which selective booting and suspend/resume operation of the power management can be performed through the two disk drives. Yoon does not teach the boot password and program password. However, James teaches an apparatus and method for prompting for an administrative password during the boot block process. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yoon and James as both are directed to a computer system boot

process. The motivation to do so is to provide a more secure computer environment as described in Yoon (see col. 12, lines 30-43) and James at (col. 2, lines 16-22).

7. **Regarding claim 2**, Yoon teaches wherein when the bootable media of the at least one alternative storage device drive is detected in step (a) and the BIOS boot password is not inputted within a predetermined amount of time, in step (b) the computer is booted responsive to the boot record of the bootable media of the default storage device drive (see col. 3, lines 23-5 of col. 5, figures 5-9 and description).

8. **Regarding claim 3**, Yoon teaches wherein when the bootable media of the at least one alternative storage device drive is detected in step (a) and at least once the inputted password does not correspond to the BIOS boot password stored in the BIOS of the computer, in step (b) the computer is booted responsive to the boot record of the bootable media of the default storage device drive (see col. 3, lines 23-5 of col. 5, figures 5-9 and description).

9. **Regarding claim 4**, Yoon teaches further comprising: c) executing at least one terminal control software component in the computer which is stored on the bootable media of the default storage device drive; and d) dispensing cash from a cash dispenser responsive to at least one terminal control software component (see col. 3, lines 23-5 of col. 5, figures 5-9 and description).

10. **Regarding claim 5**, Yoon teaches further comprising:

c) receiving a first input that is representative of a request to run a BIOS setup program (see col. 3, lines 50-59, col. 9, lines 16-25, col. 12, lines 11-29); and

d) requiring a user to provide a second input that corresponds to the BIOS boot password stored in the BIOS prior to running the BIOS setup program (see col. 3, lines 50-59, col. 9, lines 16-25, col. 12, lines 11-29).

11. **Regarding claim 6**, Yoon teaches that further comprising: c) receiving a first input that is representative of a request to run a BIOS setup program; and d) requiring a user to provide a second input that corresponds to a BIOS program password stored in the BIOS prior to running the BIOS setup program (see col. 3, lines 50-59, col. 9, lines 16-25, col. 12, lines 11-29).

12. **Regarding claim 7**, Yoon does not expressly teaches boot password and program password. James teaches that both the BIOS boot password and the BIOS program password are stored in the BIOS of the computer (see James, col. 5, lines 29-59). One of ordinary skill in the art would have combined the teachings of Yoon and James to provide a more secure computer environment as described in Yoon (col. 12, lines 30-43) and James at (col. 2, lines 16-22).

13. **Regarding claim 8**, Yoon teaches wherein in step (b) the default storage device drive and associated bootable media correspond to a hard drive (see col. 3, lines 23-5 of col. 5, figures 5-9).

14. **Regarding claims 9-13**, Yoon teaches wherein in step (b) the bootable media of the at least one alternative storage device drive corresponds to a portable media; wherein the portable media is a floppy disk, CD, DVD, and a portable hard drive (see col. 2, lines 64-22 of col. 3, figure 1/element 190).

15. **Regarding claims 14-15**, these claims are the computer readable media claims for implementing the method claims 1-13. Hence, they have the same steps and limitations. Therefore, they are rejected under the rationale provided in claims 1-13.

16. **Regarding claim 16**, Yoon disclose a method comprising:

a) detecting with a computer of an automated banking machine for the presence of a first bootable media in at least one first storage device drive of the automated banking machine (see col. 2, lines 64-65, col. 3, lines 23-5 of col. 5, figures 5-9 and description);

b) booting the computer responsive to a boot record on either the first bootable media of the at least one first storage device drive or a second bootable media of a second storage device drive of the automated banking machine (see col. 2, lines 64-65, col. 3, lines 23-5 of col. 5, figures 5-9 and description);

wherein when the first bootable media is detected in step (a), the booting of the computer includes: determining responsive to a BIOS of the automated banking machine that the at least one first storage device drive requires a BIOS boot password (see col. 2, lines 64-65, col. 3, lines 23-5 of col. 5, figures 5-9 and description);

requiring at least once for a user to input the BIOS boot password, wherein when an inputted password corresponds to a BIOS boot password stored in the BIOS of the computer, the computer is booted responsive to a first boot record on the first bootable media (see col. 2, lines 64-65, col. 3, lines 23-5 of col. 5, figures 5-9 and description); and

wherein when the first bootable media is not detected in step (a) the booting of the computer includes (see col. 2, lines 64-65, col. 3, lines 23-5 of col. 5, figures 5-9 and description):

determining responsive to a BIOS of the automated banking machine that the second storage device drive does not require the BIOS boot password, wherein the computer is booted responsive to the boot record on the second bootable media of the second storage device drive without requiring a user to input the BIOS boot password (see col. 2, lines 64-65, col. 3, lines 23-5 of col. 5, figures 5-9 and description).

17. Yoon discloses a computer system having two disk drives in which selective booting and suspend/resume operation of the power management can be performed through the two disk drives. Yoon does not teach the boot password and program password. However, James teaches an apparatus and method for prompting for an administrative password during the boot block process. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yoon and James as both are directed to a computer system boot process. The motivation to do so is to provide a more secure computer environment as described in Yoon (see col. 12, lines 30-43) and James at (col. 2, lines 16-22).

18. **Regarding claims 17-18**, these claims are the computer readable media claims for implementing the method claim 16. Hence, they have the same steps and limitations. Therefore, they are rejected under the rationale provided in claim 16.

19. **Regarding claim 19**, Yoon discloses a method comprising: a) detecting with a computer of an automated banking machine that a bootable media is present in at least one alternative storage device drive of the automated banking machine, wherein a BIOS of the computer specifies that a BIOS password is required for the bootable media of the at least one alternative storage device drive; b) prompting at least once for a user to input the BIOS boot password; c) determining that an inputted password corresponds to the BIOS boot password stored in the BIOS of the computer d) booting software of the computer responsive to a first boot record on the bootable media of the at least one alternative storage device drive; e) restarting the computer; f) detecting with the computer that a bootable media is not present in the at least one alternative storage device drive; and g) booting the computer responsive to a boot record on a bootable media of a default storage device drive without requiring a user to input the BIOS boot password (see col. 2, lines 64-65, col. 3, lines 23-5 of col. 5, figures 5-9 and description).

20. Yoon discloses a computer system having two disk drives in which selective booting and suspend/resume operation of the power management can be performed through the two disk drives. Yoon does not teach the boot password and program password. However, James teaches an apparatus and method for prompting for an administrative password during the boot block process. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yoon and James as both are directed to a computer system boot

process. The motivation to do so is to provide a more secure computer environment as described in Yoon (see col. 12, lines 30-43) and James at (col. 2, lines 16-22).

21. **Regarding claims 20-21**, these claims are the computer readable media claims for implementing the method claim 19. Hence, they have the same steps and limitations. Therefore, they are rejected under the rationale provided in claim 19.

22. **Regarding claims 22-34**, these are the machine claims that the instant application is used for. In this case, it refers to an automatic banking machine (ABM) or ATM. Yoon does not expressly disclose an ABM or ATM. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply Yoon's invention to an ABM or something equivalent as described at col. 12, lines 35-43 where it says "many modifications may be made to adapt a particular situation to the teaching of the present invention". Therefore, claims 22-34 are rejected under the same rationale provided in claims 1-21.

Conclusion

23. Claims 1-34 are rejected.

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (571) 272-7364.

The examiner can normally be reached on M-F, 9-4 PM.

26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

27. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HT


ELLA COLBERT
PRIMARY EXAMINER